

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X

DUNKIN' DONUTS FRANCHISED :  
RESTAURANTS LLC, *et al.*

Plaintiffs,	:	
v.	:	C.A. No. 08-CV-00217 (RWS)
INNER CITY DOUGH, INC., <i>et al.</i> ,	:	NOTICE OF MOTION TO ADMIT COUNSEL <u>PRO</u> <u>HAC VICE</u>
Defendant.	:	

-----X

PLEASE TAKE NOTICE that upon the annexed certifications of Ronald D. Degen and Eric L. Yaffe in support of this motion and the Certificate of Good Standing annexed thereto we will move this Court before the Honorable Robert W. Sweet at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing the admission of movant, an attorney at the firm of Gray, Plant, Mooty, Mooty & Bennett, P.A. and a member in good standing of the bar of the District of Columbia, as attorney pro hac vice to argue or try this case in whole or in part as counsel.

Respectfully submitted,

By: Ronald D. Degen  
 Ronald D. Degen, Esq. (RD 7808)  
 O'ROURKE & DEGEN, PLLC  
 225 Broadway, Suite 715  
 New York, N.Y. 10007  
 Telephone: (212) 227-4530  
 Facsimile: (212) 385-9813  
 E-mail: rdegen@odlegal.com

Dated: April 22, 2008

ATTORNEYS FOR ALL PLAINTIFFS

APR 22 2008  
APR 22 2008 45  
US DISTRICT COURT  
FILED APR 22 PM 2:21  
FBI - NEW YORK

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----x

DUNKIN' DONUTS FRANCHISED : CERTIFICATION OF RONALD D.  
RESTAURANTS LLC, *et al.* : DEGEN IN SUPPORT OF MOTION  
Plaintiffs, : TO ADMIT ERIC L. YAFFE  
v. : AS COUNSEL PRO HAC VICE  
INNER CITY DOUGH, INC., *et al.*, : C.A. No. 08-CV-00217 (RWS)  
Defendant. :  
-----x

RONALD D. DEGEN hereby certifies the following:

1. I am a member of the firm of O'Rourke & Degen, PLLC, attorneys for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts herein and in support of Plaintiffs' motion to admit Eric L. Yaffe as counsel pro hac vice to represent Plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law at the October 1970 Term of the Second Judicial Department. I also was admitted to the bar of the United States District Court for the Southern District of New York on April 20, 1972, and I am in good standing with this Court.
3. I have known Eric L. Yaffe for more than 10 years.
4. Mr. Yaffe is a principal with the law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A.
5. I have found Mr. Yaffe to be a skilled attorney and a person of integrity. He is experienced in Federal practice and with the Federal Rules of Civil Procedure.
6. Accordingly, I am pleased to move the admission of Eric L. Yaffe, pro hac vice.
7. I respectfully submit herewith a proposed order granting the admission of Eric L. Yaffe, pro hac vice.

8. I certify under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed on this 22nd day of April, 2008.

  
Ronald D. Degen (RD 7808)

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----x

DUNKIN' DONUTS FRANCHISED RESTAURANTS LLC, <i>et al.</i>	:	
Plaintiffs,	:	
v.	:	C.A. No. 08-CV-00217 (RWS)
INNER CITY DOUGH, INC., <i>et al.</i> ,	:	CERTIFICATION OF
Defendant.	:	ERIC L. YAFFE
		MOTION TO ADMIT
		<u>COUNSEL PRO HAC VICE</u>

1. My name is Eric L. Yaffe. I am a citizen and resident of the State of Maryland. I submit this Certification in support of the Motion for Admission Pro Hac Vice for the purpose of representing all Plaintiffs ("Dunkin'") in the above-captioned case.

2. I am a principal in the law firm of Gray, Plant, Moaty, Moaty & Bennett, P.A., 2600 Virginia Avenue, Northwest – Suite 1111, Washington, DC 20037. Gray, Plant, Moaty, Moaty & Bennett, P.A. is the national litigation counsel for Dunkin' organizations with their principal place of business in Canton, Massachusetts. Gray, Plant, Moaty, Moaty & Bennett, P.A. handles every aspect of litigation on behalf of Plaintiffs, including franchise cases, employment cases, contract cases, trademark cases, and others. I have represented Plaintiffs in cases of this nature in the past.

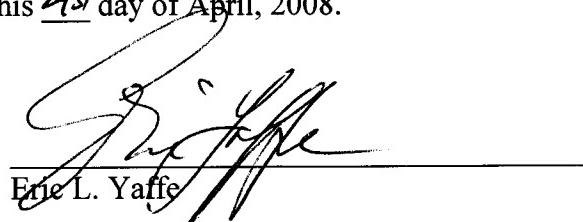
3. I am a member of the bar in good standing for the United States District Court for the District of Columbia, District of Massachusetts, District of Maryland, Eastern District of Michigan, the United States Court of Appeals for the District of Columbia and the First, Fourth, and Ninth Circuits, the United States Court of Federal

Claims, and the Supreme Judicial Court of Massachusetts and the Minnesota Supreme Court.

4. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.

5. I have never been disciplined or denied admission by any jurisdiction.

I certify under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed on this 21st day of April, 2008.



---

Erie L. Yaffe



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D.C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ERIC L. YAFFE

---

was on the 5<sup>TH</sup> day of NOVEMBER, 1993

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on April 21, 2008.

GARLAND PINKSTON, JR., CLERK

By: *G.L. Jackson*  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I hereby certify, under penalty perjury, that on April 22, 2008 I served a copy of the Motion for Admission *Pro Hac Vice* for Eric L. Yaffe, supporting papers and proposed order by first class mail in a post paid wrapper addressed to each of the following:

Lawrence A. Kushnick, Esq.  
445 Broad Hollow Road, Suite 124  
Melville, New York 11747  
Telephone: (631) 752-7100

*Counsel for Defendants DB Donuts, Inc.,  
DB Donuts II, Inc., DB Donuts IV, Inc.,  
DB Donuts VI, Inc., and Djenane Bartholomew*

Nancy Davis  
16 Great Hall Road  
Mahwah, New Jersey 07430

and

Nancy Davis  
21 Main Street, Suite 201  
Hackensack, New Jersey 07601

*Ronald D. Degen*  
**RONALD D. DEGEN (RD 7808)**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X

DUNKIN' DONUTS FRANCHISED RESTAURANTS LLC, <i>et al.</i>	:	
Plaintiffs,	:	
v.	:	C.A. No. 08-CV-00217 (RWS)
INNER CITY DOUGH, INC., <i>et al.</i> ,	:	ORDER TO ADMIT <u>COUNSEL PRO HAC VICE</u>
Defendant.	:	

-----X

The motion for admission to practice pro hac vice in the above-captioned matter is granted. The admitted attorney, Eric L. Yaffe, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice pro hac vice is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee within 10 business days.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated: \_\_\_\_\_, 2008.

SO ORDERED,

---

United States District Judge

cc: Pro Hac Vice Attorney  
Court File